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November 23, 1983

Mr. Kenneth G. Mensing
Illinois Environmental Protection Agency
Land Field Operation Section
Division of Land Pollution Control
117 W. Main Street
Collinsville, IL 62234

Re: LPC 11902002 - Madison County - East Alton/Olin
ILD006271696
Compliance Inquiry Letter

Dear Mr. Mensing:

This letter is in response to the above referenced letter dated November 10, 1983 and received by Olin on November 14, 1983. Specifically, this letter will respond to your request for a written explanation of the reasons for the apparent violations outlined in the November 10, 1983 letter as well as a description of the steps Olin has taken to prevent further recurrence of the apparent violations.

The Emergency Holding Lagoon at Olin's Zone 6 Wastewater Treatment Facility occasionally receives a pretreated wastewater stream from the discharge of the wastewater plant's Neutralization and Equalization Basins(N & E Basins). Initial neutralization and settling of solids takes place in the N & E Basins, prior to the occasional discharge to the Emergency Holding Lagoon.

The wastewater received by Olin's Zone 6 Wastewater Treatment Facility is a hazardous waste in accordance with 40 CFR Section 261.3 due to the presence of small amounts of listed wastes F006, F007, F008, F009, K044* and K046. On November 5, 1981, Olin submitted a petition to the USEPA to exclude the N & E Basin effluent from 40 CFR Section 261.3 so that the Emergency Holding Lagoon would not be considered a hazardous waste storage site. In its initial petition, and in a multitude of subsequent submittals Olin has shown that, because of the use of various pretreatment processes (the details of which are set forth in the petition) and the effect of dilution caused by combination with other process flows, the hazardous contaminants are all well within allowable limits established at 40 CFR Section 161.24 or are well within concentrations stated by the USEPA to be of regulatory concern. The long history of Olin's delisting Petition was again covered in detail in the letter from Mr. M.F. Redington of Olin to Mr. Perry Mann of the IEPA dated November 4, 1983. A copy of this letter was attached to Mr. Mann's November 10, 1983 Inspection Report.

*Note: K004 changed to K044 11/30/83.

On November 21, 1983 we received the attached letter from the USEPA regarding our petition to delist the wastewater discharge from the Neutralization and Equalization Basin at Olin's Zone 6 Waste Water Treatment Facility. As you can see from the letter, the USEPA has changed its review procedure in anticipation of Congressional action to revise 40 CFR 260.22.

Olin believes it has adequately demonstrated that the wastewater and solids which are stored in its Zone 6 Wastewater Plant Emergency Holding Lagoon are not hazardous wastes under either the USEPA's "old definition" or "new definition". Olin, in the past, took all necessary steps to have these wastes officially declared non-hazardous and it is only because of administrative delays on the part of the USEPA that Olin has not received relief from the technical applicability of the groundwater monitoring requirements. Even under the new definition and new concern expressed in the USEPA letter we feel that the wastes will be delisted. We do not believe it is the intent of the Resource Conservation and Recovery Act to require a site to meet hazardous waste site requirements when it is not handling a hazardous waste nor do we feel that the legitimate interests of State of Illinois are served by such requirements.

We are, of course, willing to meet and discuss with you appropriate compliance measures and timing so that we can each more fully understand the other's position and requirements. We do, therefore, formally request a meeting with appropriate personnel from the IEPA to discuss reasonable steps of compliance in light of the unusualness of this particular situation.

Very truly yours,



L.W. Maxson, Director
Energy & Environmental Services

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